

please file in case
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

2nd JOHN RICHARD JAE

Plaintiff,

vs.

WEXFORD HEALTH SERVICES INC,
Defendant.

Civil Action No. 1:00-cv-01534

U.S. District Judge Ramo

FILED State Judge Smyser

HARRISBURG

JAN 29 2001

MARY E. D'ANDREA, CLERK

Per DEPUTY CLERK

PLAINTIFF'S SECOND MOTION FOR ENLARGEMENT OF

COMES now, the Plaintiff & his Sec Counsel in the above entitled John Richard Jae, as a layman unlettered in the Arts & Sciences of the legal procedures within the United States, & now files his Plaintiff's Second Motion For Enlargement of Time, herein, & who avers, deposes

1. That, he is John Richard Jae, the Plaintiff & his Sec Counsel herein - entitled Civil Action & he makes this Motion pursuant to Fed. R. C.

2. on or About August 28, 2000, Plaintiff filed his 42 U.S.C. § 1983 Complaint and his Application For Leave To Proceed In forma pauperis, here

3. on September 8, 2000, this Court granted Plaintiff leave In forma pauperis herein this case.

4. On November 13, 2000, Defendant, through its Counsel, filed a Motion To Dismiss Plaintiff's Complaint and Motion To Revoke Plaintiff's In forma pauperis status, herein this case, and Defendant's Brief In support of Motion To Dismiss Plaintiff's Complaint and Brief In support of Motion To Revoke Plaintiff's In forma pauperis status, were both filed in this case, on or About November 28, 2000.

5. On or About December 11, 2000, Plaintiff filed his Motion For Enlargement of Time, herein this case, requesting until January 25, 2001, to file his Brief In Opposition To Defendant's Motion To Dismiss Plaintiff's Complaint & Brief In Opposition To Defendant's Motion To Revoke Plaintiff's In forma pauperis status, herein this case.

6. Due to the Facts that on January 10, 2001, Plaintiff John Richard Jae, had another mental health relapse and snapped out & tried to kill himself by trying to hang himself from his cell heating vent and out his right arm rubbed feces all over himself & his cell walls & was hearing voices, he was taken out of the SMU & placed in cell in the Medical Observation Area at SCI-Greene & then on January 14, 2001, talked with DR. Ismael (his treating psychiatrist) who told Plaintiff that he felt Plaintiff was unstable and may be starting to become psychotic and he asked plaintiff if he wanted to sign a voluntary mental health commitment to go to the Mental Health Unit (MHU) at SCI-Pittsburgh the plaintiff replied yes he did & he did sign such commitment papers and on January 18, 2001, Plaintiff was transferred to the MHU at SCI-Pittsburgh, and ~~also~~ due to the fact that Plaintiff Jae is in the mental health unit at SCI-Pittsburgh and his files & papers in this case are up at SCI-Greene his property, and that Plaintiff does "not" know how long he

be staying in the MHU at SCI-Pittsburgh, as there is not anymore on how long an inmate can stay there in the MHU, Plaintiff is unable to file & serve his Reply Brief in Opposition to Defendant's Motion to Dismiss Plaintiff's Complaint and Reply Brief in Opposition to Defendant's Motion to Revoke Plaintiff's Inmate Pauper's Status, herein this case, by the present due date such of January 25, 2001, & thus, he requests a (60) sixty day Enlargement of time to and including March 25, 2001, in which to file & serve his Reply Brief in Opposition to Defendant's Motion to Dismiss Plaintiff's Complaint and Reply Brief in Opposition to Defendant's Motion to Revoke Plaintiff's Inmate Pauper's Status, herein this case.

When Plaintiff left SCI-Greene on January 18, 2001, his staff would not let Plaintiff take with him to the MHU his box of legal materials which contained his files & papers, herein this case.

(W) HEREBY, Plaintiff John Richard Jae, Prays that this Court will grant him a Second Enlargement of Time Sixty (60) days to and including March 25, 2001, in which to file & serve his Reply Brief in Opposition to Defendant's Motion Dismisses Plaintiff's Complaint and his Reply Brief in Opposition to Defendant's Motion to Revoke Plaintiff's In Forma Pauperis status, herein this instant case:

AND HE SHALL EVER PRAY:
RESPECTFULLY SUBMITTED:

(s) John Richard Jae
MR. JOHN RICHARD JAE
#BA-32A
SCL-~~DE~~LSBURGH
P.O. Box 99901
Pittsburgh, PA 15233-9901

CERTIFICATE OF SERVICE

I certify that on 1/23/01, I mailed by 1st class mail, postage prepaid a true & correct copy of the Plaintiff's Second Motion for Enlargement of Time to the person listed below.

I certify that on 1/23/01, I gave to prison officials here for mailing this Court, the original of Plaintiff's Second Motion for Enlargement of Time.

"I certify under penalty of perjury & pursuant to 28 U.S.C. § 1746, that the foregoing is true & correct."

MR. JAMES D. Young, Esquire
LAVERGNE, YOUNG & PATTERSON, P.C.
Attorney At Law
P.O. Box 1245
Pittsburgh, PA 15108-1245

Dated/Executed on:
23rd JANUARY 2001:
At: Pittsburgh, Pennsylvania:

(s) John Richard Jae
MR. JOHN RICHARD JAE
Plaintiff and Petitioner